

April 13, 1999

Mr. Bill Kier
The Institute for Fisheries Resources
P.O. Box 29196
San Francisco, CA 94129-0196

Dear Mr. Kier:

Based on the information presented in your March 30, 1999 letter and guidance received from CALFED legal counsel, I have reached the following conclusions. Your project entitled *Opening Up Butte Creek Canyon to Salmon and Steelhead Fish Passage* (98-A1004) submitted under the May 1998 Proposal Solicitation Package (PSP) was conditionally recommended for funding by the CALFED Integration Panel, subject to satisfying concerns regarding local support and meeting with the California Department of Fish and Game, Butte Creek Conservancy and the U.S. Fish and Wildlife Service. When the Policy Group approved the May 1998 PSP projects in September, they did not approve this project. It was still under review, and not ready for Policy Group consideration. Therefore, your statement that the project was "selected and funded" is incorrect.

In order to ensure a fair and just review of the project as it now stands I will resubmit your proposal to the CALFED Integration Panel at their next meeting on April 27, 1999, for its consideration and recommendation. The proposal will go forward to the Ecosystem Roundtable for consideration and recommendation at its May 20, 1999 meeting and then to the Policy Group for its final recommendation. If your proposal is successful at each of these review steps it would be forwarded to the Secretary for Resources for approval. You should be aware that the Butte Creek Conservancy has maintained its lack of support for this project, which will be a factor as the project is reconsidered. Please provide me with any revisions to the proposal no later than 4:00 p.m. April 21, 1999.

You may also want to consider withdrawing the 1998 proposal, and resubmitting a revised proposal under the 1999 PSP which closes at 3:00 p.m. on April 16, 1999. If you have any additional questions please contact me at (916) 653-5950.

Sincerely,



Wendy Halverson Martin
Restoration Coordinator

cc: Chuck Kutz, Butte Creek Watershed Conservancy

CALFED Agencies

California
The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal
Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
Department of Commerce
National Marine Fisheries Service

bcc: D. Aitchison
L. Snow
S. Ritchie
J. Turner